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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIGI J. MONTES,  
ALEXANDER HOYOS RIVERA, and  
PETER ALEXANDER STINCER,  
Defendants.

Case No. 2:21-mj-1027-DJA

**STIPULATION FOR PROTECTIVE  
ORDER**

It is hereby stipulated and agreed, by and between Christopher Chiou, Acting United States Attorney, through Jim W. Fang, Assistant United States Attorney, Jess Marchese, Esq., counsel for defendant Luigi J. Montes, Ivette A. Maningo, Esq., counsel for defendant Alexander Hoyos Rivera, and Jacqueline M. Tirinnanzi, Esq., counsel for defendant Peter Alexander Stincer, that this Court issue an Order protecting from disclosure to the public any discovery documents containing the personal identifying information ("PII"), such as names, addresses, social security numbers, dates of birth, bank account numbers, and debit/credit card numbers, of victims and other third parties in this case. Such documents shall be referred to hereinafter as "Protected Documents." The parties state as follows:

1           1.       The charges in this case are based primarily on allegations that defendants  
2       conspired to commit unemployment insurance fraud by submitting unemployment claims using  
3       victims' PII. The government intends, in this case, to voluntarily produce limited Rule 16  
4       discovery in order to facilitate pre-indictment resolution with defendants. Naturally, PII makes  
5       up a significant part of the discovery and such information, particularly in this case, has  
6       evidentiary value. Redacting all of the PII will result in the defense receiving a set of discovery  
7       materials that may be confusing and difficult to understand, and may make it challenging for  
8       defense counsel to adequately evaluate the case, provide advice to defendant, and prepare a  
9       defense.

10           2.       However, a crime victim has the right to be treated "with respect for the victim's  
11       dignity and privacy." 18 U.S.C. § 3771(a)(8). "In any court proceeding involving an offense  
12       against a crime victim, the court shall ensure that the crime victim is afforded" such right to  
13       privacy, among other rights. § 3771(b)(1).

14           3.       Subject to the conditions listed herein, the parties agree that the government will  
15       provide Protected Documents without redacting the PII. The government agrees that any  
16       discovery that does not contain PII, or in which all PII has been redacted, is not subject to the  
17       terms of this Protective Order.

18           4.       Access to Protected Documents will be restricted to persons authorized by the  
19       Court, namely defendants, their attorneys of record, and attorneys' paralegals, investigators,  
20       experts, secretaries, file clerks, law clerks, contractors, vendors, IT Department, and copy centers  
21       employed by the attorneys of record or performing on behalf of defendants.

22           5.       The following restrictions will be placed on defendants, defendants' attorneys and  
23       the above-designated individuals unless and until further ordered by the Court. Defendants,  
24       defendants' attorneys, and the above-designated individuals shall:

1           a.     Not make copies of the Protected Documents for, or knowingly allow  
2 copies of any kind of the Protected Documents be made for, any person that is not an authorized  
3 person, and will take reasonable steps to protect against allowing copies of any kind of the  
4 Protected Documents to be made for any person that is not an authorized person;

5           b.     Not knowingly allow any other person to read the Protected Documents  
6 and will take reasonable steps to prevent any person that is not an authorized person to read the  
7 Protected Documents; and,

8           c.     Not use the Protected Documents for any other purpose other than  
9 preparing to defend against the charges in the Complaint. To the extent defendants are indicted  
10 by a grand jury at a later date, this protective order will remain in full force and effect, and the  
11 parties will file the same protective order in the new case.

12          6.     Defendants' attorneys shall inform any person, to whom they disclose the  
13 Protected Documents or to whom they know defendant(s) have disclosed the Protected  
14 Documents, of the existence and terms of this Court's order. Further, defendants' attorneys shall  
15 take reasonable measure to inform any person, to whom disclosure may be made pursuant to  
16 this order, of the existence and terms of this Court's order.

17          7.     No party shall file Protected Documents with or submit them to the Court or  
18 reproduce their contents in any court filing unless the document or filing is placed under seal or  
19 the PII is redacted. The procedures for use of Protected Documents during any hearing or the  
20 trial of this matter shall be determined by the parties and the Court in advance of the hearing or  
21 trial. The parties shall consider measures such as redacting Protected Documents to remove PII  
22 and requesting that any exhibit containing PII be placed under seal. No party shall disclose  
23 Protected Documents in open court without prior consideration by the Court.  
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1           8.       Within seven days after the resolution of this matter by a defendant's guilty plea at  
2 a change of plea hearing, if such resolution does occur, such defendant shall return to defense  
3 counsel any and all copies of Protected Documents furnished to defendants.

4           9.       Within seven days after the resolution of this matter by a defendant's guilty plea at  
5 a change of plea hearing, if such resolution does occur, defense counsel shall direct all other  
6 authorized persons or others defense counsel has reason to believe have obtained copies of the  
7 documents, to return copies of Protected Documents to defense counsel's office.

8           10.      To the extent resolution of this matter is achieve through guilty plea, defense  
9 counsels may retain the Protected Documents until the completion of the final appeal in any  
10 criminal matters arising out of the charges in the Complaint, or if no appeal was filed, then the  
11 expiration of the statute of limitations for the filing of any final appeal of any matter, including  
12 collateral review. Thereafter, or to the extent resolution of this matter is achieved by the  
13 government's or the Court's dismissal of the Complaint, defense counsels shall return to  
14 government counsel or destroy all copies of Protected Documents in defense counsels'  
15 possession, including copies of Protected Documents previously in the possession of all  
16 authorized persons and returned to defense counsels.

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11. Nothing contained in this motion and order shall preclude any party from applying to this Court for further relief or for modifications of any provision hereof.

Dated this 5th day of April, 2022.

CHRISTOPHER CHIOU  
Acting United States Attorney

s/ Jim W. Fang  
JIM W. FANG  
Assistant United States Attorney  
Counsel for the United States

s/ Jess Marchese  
JESS MARCHESE, ESQ.  
Counsel for Defendant Montes

s/ Ivette A. Maningo  
IVETTE A. MANINGO, ESQ.  
Counsel for Defendant Rivera

s/ Jacqueline M. Tirinnanzi  
JACQUELINE M. TIRINNANZI, ESQ.  
Counsel for Defendant Stincer

**ORDER**

IT IS SO ORDERED this 6<sup>th</sup> day of April, 2022.

  
UNITED STATES MAGISTRATE JUDGE